

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

Coram

The Hon'ble Mr. Justice **M.M. SUNDRESH**
and
The Hon'ble Mr. Justice **C.SARAVANAN**

Cont. Petition No.2404 of 2018

R.Panner Selvam ... Petitioner

vs.

Dr.Girija Vaidyanathan,
Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai - 9. ... Respondent

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondent herein for violating the order
of this Court dated 06.09.2018 in W.A.No.1886 of 2018 and
hold that the proceedings of the respondent in
G.O.Rt.No.3302 Public (Special A) Department dated
14.09.2018 and G.O.Rt.No.3327 Public (Special A) Department
dated 08.09.2018 are contemptuous actions and therefore
null and void.

For Petitioner .. Ms.Dhakshyani Reddy
for M/s.Adithya Reddy

For Respondent .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This contempt petition has been filed inter alia alleging that the order dated 06.09.2018 passed by the Division Bench in W.A.No.1886 of 2018 has been violated. Para 7 of the said order reads as under"

"7.Though several ground have been raised in these writ appeals, taking note of the observation of the Hon'ble Supreme Court and the fact that the appeals have been filed only against a common interim order passed by the learned single Judge dated 14.07.2018 and the main writ petitions are pending consideration before the single Judge and also the fact that special leave petition which has been filed against the rule of reservation is still pending before the Supreme Court, we are of the view that while effecting promotion to the post of District Revenue Officers, the ratio laid down for direct recruits quota as well as the appointment by transfer quota shall be strictly followed. Anyhow, it is made clear that any promotion made is subject to the result of the writ petitions and the matter pending before the Supreme Court."

2.Thus, the aforesaid order was passed, awaiting the final order from the Apex Court. Thereafter, on 11.09.2018, Civil Appeal No.9334 of 2018 accordingly was allowed by the Apex Court setting aside the order of the Division Bench.

3.In such view of the matter, nothing survives in this contempt petition.

4.Learned counsel appearing for the petitioner submitted that inasmuch as the order of the Apex Court had come into being, the same will have to be complied with in letter and spirit by the respondent.

5.Learned Special Government Pleader appearing for the respondent has submitted that the respondent is bound to comply with the order of the Apex Court.

6.Recording the aforesaid submission, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2019.

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COURT OFFICER (O.S.)

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PS/21/03/2019